IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 16143 of 2004

Between:

1 Veeramalla Jaganadha Rao, S/o. Late Veeramalla Sannibabu,

Hindu, Ramalayam Street, Parvada Village, Parvada Mandal,

Visakhapatnam District. 531 021.
2 Veeramalla Sanyasi, Rao, S/o. Late Veeramalla Sannibabu,

Hindu, R/o. HIG I/135, Gullalapalem Colony, Sriharipuram,

Malkapuram Post, Visakhapatnam District. 11.
3 Veeramalla Satyanarayana, S/o. V. Sannibabu, HIndu,
R/o. HIG II A/2, Gullalapalem Colony, Sriharipuram,

Malkapuram Post, Visakhapatnam District. 11.
4 Veeramalla Brahmmanandam, S/o. Late Veeramalla Sannibabu,

Hindu, Ramalayam Street, Parvada Village, Parvada Mandal,

Visakhapatnam District.
5 Veeramalla Thammanna, S/o. LateV.Thamanna,

Hindu, Ramalayam Street, Parvada Village, Parvada Mandal,

Visakhapatnam District.
6 Veeramalla Chitteswara Rao, S/o. V. Thamanna,
Ramalayam Street, Parvada Village, Parvada Mandal,

Visakhapatnam District. 531 021.
7 Veeramalla Satyanarayana, S/o. Late Veeramalla Thamanna,

Hindu, Ramalayam Street, Parvada Village, Parvada Mandal,

Visakhapatnam District. 531 021.

…PETITIONERS

AND

1 The Special Dy. Commissioner (Land Acquisition) AP IIC Industries Estate, Visakhapatnam.
2 The District Collector, Visakhapatnam.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to direct the respondents one in the nature of Writ of Mandamus directing the respondents herein to conduct enquiry with regard to the ownership of the properties in Sy.No.s 21/1 admeasuring Ac.1.15 cents and in Sy.Nos. 21/2 admeasuring ac.2.06 situated at Paravada Village, Visakhapatnam District pursuant tot he notification under Section 5-A of the Land Acquistiion act published in Andhra Bhoomi, Visakhapatnam Edition DT. 23-6-2004.

Counsel for the Petitioners: MR.P.SURESH

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court at the admission stage made the following:

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Land Acquisition. Learned counsel for the petitioners submits that petitioners are not questioning the notifications issued under Sections 4(1) and 6 of the Land Acquisition Act (for short 'the Act'), but only claiming compensation for the lands.

2. Petitioners claim to be successors over the property admeasuring Ac.2.06 cents situated at Paravada Village, Visakhapatnam District, which is the subject matter of acquisition covered by notification dated 20-06-2003 issued under Section 4(1) of the Act. On issuance of the notification, petitioners state that they made a representation claiming that they are the owners of the property. In spite of the said representation, in the notification that was issued under Section 6 of the Act,
dated 15-06-2004, their names have not been mentioned. In view of the same, petitioners filed the present Writ Petition to conduct an enquiry with regard to the ownership of the property over the lands which are the subject matter of acquisition issued under Section 6 of the Act dispensing with the enquiry under Section 5-A of the Act. Petitioners already made representation for

compensation for the said land.

2. In view of the same, respondents shall issue notice to the petitioners about the due date of enquiry and the petitioners can participate in the award enquiry and file their claim petitions claiming compensation and can substantiate their right over the said property during the course of the award enquiry. After giving opportunity to the petitioner, necessary award shall be passed by the Land Acquisition Officer based upon the documents submitted by the petitioners claiming compensation for the said property.

The Writ Petition is accordingly disposed of. No costs.

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A. **GOPAL REDDY, J**

September 10, 2004

MRR

TO:

1 The Special Dy. Commissioner (Land Acquisition) AP

IIC Industries Estate, Visakhapatnam.

2 The District Collector, Visakhapatnam.

3 Two C.C.s to the G.P for Land Acquisition, High Court

Buildings, Hyderabad (OUT).

4 Two C.D. Copies.